

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CYNTHIA JOHNSON, BRENDA BEZEREDI, and JAINE BIALK, on behalf of themselves and all others similarly situated.

Plaintiffs,

V.

THE BOEING COMPANY,

Defendant.

No. 2:19-cv-00597

STIPULATED MOTION TO EXTEND
TIME TO RESPOND TO PLAINTIFFS'
MOTION FOR CONDITIONAL
CERTIFICATION

Defendant The Boeing Company (“Boeing”) moves under Local Rule CR 7(d)(1) for an extension of the remaining deadlines (Boeing’s opposition and Plaintiffs’ reply) on Plaintiffs’ Motion for Conditional Certification (Dkt. #13). Counsel for Boeing conferred with counsel for Plaintiffs Cynthia Johnson, Brenda Bezeredi, and Jaine Bialk (“Plaintiffs”), and Plaintiffs stipulate to this motion.

On May 28, 2019, Plaintiffs filed their Motion for Conditional Certification, noted for Friday, June 21 (Dkt. #13). Boeing’s opposition brief is currently due June 17, and Plaintiffs’ reply on June 21. Per the Court’s Order dated May 22, the deadline for Boeing to file its initial responsive pleading in this matter is June 28 (Dkt. #12).

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Boeing intends to file a motion to dismiss with regard to Plaintiffs' claim to represent "similarly situated" members of a putative collective action under the Fair Labor Standards Act ("FLSA"). This motion will bear directly on the composition and scope of the putative collective action. Accordingly, the resolution of this motion to dismiss will, in Boeing's view, have a direct impact on the question of conditional certification and, accordingly, the content of Boeing's anticipated opposition to Plaintiffs' Motion for Conditional Certification (and thus Plaintiffs' anticipated reply brief as well).

Boeing believes that judicial resources will be conserved by extending Boeing's response deadline to the Motion for Conditional Certification until eighteen (18) days after the earlier of the date that (a) the Court rules upon Boeing's forthcoming motion to dismiss, which will be filed no later than June 28, 2019, or (b) the date on which the Tolling Agreement attached hereto as Exhibit A is otherwise terminated according to its terms. This is the same length of time Boeing would ordinarily have to submit an opposition brief to a motion under Local Rule 7(d)(3) (assuming such motion was filed on a Thursday). Plaintiffs shall then have four business days to submit a reply brief.

For the foregoing reasons, the parties respectfully request that the Court extend the time for further briefing on Plaintiffs' Motion for Conditional Certification as outlined above.

DATED: June 13, 2019

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IT IS SO ORDERED.

Dated this 18 day of June, 2019



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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